

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 231583
ORIGIN DLOS-09

INFO OCT-01 AF-10 ARA-10 EA-10 EUR-12 NEA-10 ISO-00
FEA-01 ACDA-07 AGRE-00 AID-05 CEA-01 CEQ-01 CG-00
CIAE-00 COME-00 DODE-00 DOTE-00 EB-08 EPA-01
ERDA-05 FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13
JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OES-07 OMB-01
PA-01 PM-05 PRS-01 SP-02 SS-15 USIA-06 OIC-02
/167 R

DRAFTED BY D/LOS:RCBLUMBERG:AFR
APPROVED BY D/LOS:ABERLIND
D/LOS:GTAFT
OES/OFA:GDALTON
EUR/CE:MR. LAUDERDALE
EUR/WE:MS.CRAMERUS
EA/J:MR. ECTON
DOD:COL. FEDELE
L:MR. CROOK
DOT:MR. VORBACK

-----039651 270605Z /21

R 262350Z SEP 77
FM SECSTATE WASHDC
TO AMEMBASSY OSLO
INFO AMEMBASSY COPENHAGEN
AMEMBASSY STOCKHOLM

LIMITED OFFICIAL USE STATE 231583

E.O. 11652: N.A.

TAGS: PLOS, SENU, NO

SUBJECT: LOS: POLLUTION CONTROL LEGISLATION

REFS: (A) STATE 202810 (B) OSLO 4223
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 231583

1. EMBASSY SHOULD INFORM VINDENES THAT AMBASSADOR
RICHARDSON HAS OPPOSED PROPOSED LEGISLATION REFERRED TO
IN PARA 1 REF (B) BECAUSE ITS UNILATERAL CHARACTER
WOULD (1) UNDERMINE THE U.S. POSITION AT THE LOS CONFE-
RENCE AND THE TEXT ON NAVIGATION NEGOTIATED AT THE
CONFERENCE AND (2) COULD PROVOKE OTHER NATIONS TO ENACT

UNILATERAL POLLUTION LEGISLATION. SUCH LEGISLATION MIGHT BE BROADER IN SCOPE THAN THAT PROPOSED BY U.S. AND COULD LEAD TO SEVERE RESTRICTIONS ON WORLDWIDE COMMERCIAL AND NAVAL MOBILITY.

2. EMBASSY SHOULD ALSO INFORM VINDENES THAT U.S., ON 16TH OF SEPTEMBER, RECEIVED A JOINT PROTEST ON PROPOSED U-S. LEGISLATION FROM THE GOVERNMENTS OF BELGIUM, DENMARK, FINLAND, GREECE, FRG, THE NETHERLANDS AND THE UNITED KINGDOM. THE PROTEST CONTAINS THE FOLLOWING REASONS FOR OPPOSING THE PROPOSED JURISDICTIONAL EXTENSION:
QTE (1) TO MAKE UNILATERALLY AND ENFORCE SUCH REGULATIONS

FOR FOREIGN VESSELS BEYOND THE TERRITORIAL SEA WOULD GO BEYOND EXISTING INTERNATIONAL LAW. IN ORDER TO PROTECT FREEDOM OF NAVIGATION, REGULATIONS CONCERNING FOREIGN SHIPS MUST BE AGREED INTERNATIONALLY;

(2) SUCH A CLAIM OF JURISDICTION OVER FOREIGN VESSELS BEYOND THE TERRITORIAL SEA WOULD ALSO GO WELL BEYOND THE PROVISIONS CONCERNING POLLUTION FROM SHIPS, WHICH HAVE GAINED WIDE ACCEPTANCE AT THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA. THESE PROVISIONS, WHICH ARE CONTAINED IN THE INFORMAL COMPOSITE NEGOTIATING TEXT WOULD LIMIT COASTAL STATES' REGULATION MAKING LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 231583

POWERS FOR FOREIGN SHIPS IN THEIR ECONOMIC ZONE TO GENERALLY ACCEPTED INTERNATIONAL RULES AND STANDARDS AND ENSURE THE FREEDOM OF NAVIGATION BY LIMITING THE COASTAL STATES' POWERS TO PROSECUTE A FOREIGN SHIP FOR A VIOLATION IN ITS ECONOMIC ZONE OF THESE REGULATIONS WHEN THE SHIP IS IN PORT: EXCEPT FOR VERY SERIOUS CASES WHEN A COASTAL STATE HAS CERTAIN POWERS WITH RESPECT TO A FOREIGN SHIP AT SEA. THE UNITED STATES, TOGETHER WITH THE ABOVE MENTIONED AND MANY OTHER STATES HAVE MADE STRENUOUS EFFORTS AT THE LAW OF THE SEA CONFERENCE TO MODERATE SOME OF THE MORE EXTREME DEMANDS FOR COASTAL STATES POWERS AND TO PRODUCE THE PRESENT COMPROMISE. FOR THE UNITED STATES NOW TO ENACT LEGISLATION GOING WELL BEYOND THE COMPROMISE WOULD CERTAINLY ENDANGER IT TOGETHER WITH MANY OTHER PROVISIONS WHICH ARE CLOSELY LINKED TO IT. UNQTE

3. THE FOLLOWING ARE SPECIFIC RESPONSES TO THE TWO QUESTIONS RAISED BY VINDENES IN PARA 2 REFTL (B).
(1) WE READ THE DISCHARGE EXCEPTION IN THE PROPOSED LEGISLATION AS APPLYING ONLY TO THE WATERS OF THE CONTIGUOUS ZONE AND NOT REPEAT NOT TO THE CONTINENTAL

SHELF OR FISHERIES ZONE. (2) WHILE WE DO NOT KNOW THE
SPECIFIC REASON FOR THE LACK OF A REFERENCE TO THE
1973 IMCO CONVENTION ON POLLUTION FROM SHIPS WE ASSUME
THAT IT IS BECAUSE THE U.S. IS NOT YET PARTY TO THE 1973
CONVENTION ALTHOUGH IMPLEMENTING LEGISLATION HAS BEEN
SENT TO THE U.S. CONGRESS. CHRISTOPHER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLLUTION CONTROL, POLICIES, LAW OF THE SEA, LEGISLATIVE BILLS
Control Number: n/a
Copy: SINGLE
Sent Date: 26-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE231583
Document Source: CORE
Document Unique ID: 00
Drafter: RCBLUMBERG:AFR
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770351-0132
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770920/aaaaaqwi.tel
Line Count: 122
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 93c8ae3d-c288-dd11-92da-001cc4696bcc
Office: ORIGIN DLOS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 STATE 202810, 77 OSLO 4223
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 02-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1129957
Secure: OPEN
Status: NATIVE
Subject: LOS: POLLUTION CONTROL LEGISLATION
TAGS: PLOS, SENV, NO
To: OSLO
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/93c8ae3d-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009